

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) Examiner: KEMMERER, Elizabeth  
 )  
David BOTSTEIN, et al. ) Art Unit: 1646  
 )  
Application Serial No. 09/992,643 ) Confirmation No: 4960  
 )  
Filed: November 14, 2001 ) Attorney's Docket No. GNE-2730P1C13  
 )  
For: **SECRETED AND TRANSMEMBRANE** ) **Customer No. 77845**  
**POLYPEPTIDES AND NUCLEIC ACIDS** )  
**ENCODING THE SAME** )

**ON APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**  
**REQUEST TO WITHDRAW APPEAL BY APPELLANTS**

Commissioner for Patents - **MAIL STOP APPEAL BRIEF - PATENTS**  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

On October 12, 2007, the Examiner made a final rejection to pending Claims 119-126 and 129-131. A Notice of Appeal was filed on January 14, 2008 and Appellants' Appeal Brief was filed April 14, 2008.

Appellants hereby request that the appeal be withdrawn, and that the above-identified application be expressly withdrawn as of the filing date of this paper.

I am the attorney or agent of record.

Respectfully submitted,

Date: March 6, 2009

By:   
Christopher De Vry (Reg. No. 61,425)

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